

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P803814/WO/1	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/009946	International filing date (<i>day/month/year</i>) 07.09.2004	Priority date (<i>day/month/year</i>) 24.10.2003
International Patent Classification (IPC) or national classification and IPC B23Q37/00, B23Q39/00, B23Q41/06		
Applicant DAIMLERCHRYSLER AG		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>2</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-9 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-3 _____ received by this Authority on 06.07.2005 with letter of 18.04.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/3-3/3 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-3</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>3</u>	YES
		Claims <u>1-2</u>	NO
	Industrial applicability (IA)	Claims <u>1-3</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	1) Citations		
	D1: PATENT ABSTRACTS OF JAPAN & JP 2001 018102 A		
	D2: EP 1 380 382 A (not a prior publication; filing date 07.07.2003; publication date 14.01.2004)		
	D3: EP 1 346 788 A		
	D4: EP 0 908 269 A		
	2) Claims 1-2		
	The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1-2 does not involve an inventive step (PCT Article 33(3)).		
	D1 is considered the prior art closest to the subject matter of claim 1. It discloses a:		
	Machining system (transfer machine) for cutting cylinder heads,		
	- with a plurality of machining stations (A-F) in which the cylinder heads that are to be machined are machined in different orientations		
	- wherein the cylinder heads to be machined are supplied in sequence to the machining stations (A-F)		

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<ul style="list-style-type: none">- wherein at least one of the machining stations (A-F) comprises a plurality of identical machine tools (12)- wherein each machine tool comprises a plurality of spindles (145), at least some of which are equipped in a fixed manner with a tool. <p>The subject matter of claim 1 differs therefore from the known machining system in that</p> <p>at least some of the spindles are arranged in such a way in the working chamber that the tools fixed thereto simultaneously engage on the cylinder head.</p> <p>The problem addressed by the present invention can therefore be considered that of reducing machining times.</p> <p>The solution proposed in claim 1 of the present application cannot be deemed inventive since it is general knowledge to a person skilled in the art that machining times can be reduced by having a plurality of spindles with the corresponding tools engage simultaneously on the workpiece - see, e.g., D3, figure 1 and paragraphs 14, 24 and 34.</p> <p>The subject matter of claim 2 does not involve an inventive step either, since it is obvious to a person skilled in the art to equip the machine tools of different machining stations with a different number of spindles so as to optimise the productivity of the machining system.</p> <p>3) Claim 3</p>

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Box No. V**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

The combination of features contained in dependent claim 3 is neither known nor obvious from the available prior art. In the prior art, the spindles can be moved at least along an axis.